Docket No.: 043888-0427 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 53080

Fumio KATO, et al. : Confirmation Number: 3638

Application No.: 10/562,440 : Group Art Unit: 4133

Filed: December 28, 2005 : Examiner: Jacob Buchanan

For: ALKALINE BATTERY

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed to resubmit three references previously submitted on March 24, 2009 in the present application. The references **WO 03/076339 A1, WO 03/034520 A1,** and **EP 1 445 812 A1** were considered illegible by the Examiner; legible copies of these references are attached hereto.

10/562,440

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Bernard P. Codd

Registration No. 46,429

600 13th Street, N.W. Washington, DC 20005-3096 Phone: 202.756.8000 BPC:mjb

Facsimile: 202.756.8087 **Date: October 8, 2009**

Please recognize our Customer No. 53080 as our correspondence address.